



UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 10 2001

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 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/863,101	05/18/2001	Robert D. Mass	3118/1H146US1

CONFIRMATION NO. 9233

 07278
 DARBY & DARBY
 805 THIRD AVENUE, 27TH FLR.
 NEW YORK, NY 10022

FORMALITIES LETTER



OC000000006340870

Date Mailed: 07/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$134.
 - \$54 for 3 total claims over 20.
 - \$80 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 974.

*A copy of this notice **MUST** be returned with the reply.*

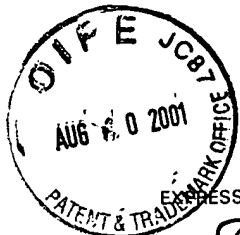
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/15/2001 KZWDIE 00000095 09863101

 01 FC:101 710.00 BP
 02 FC:105 130.00 BP
 03 FC:102 80.00 BP
 04 FC:103 54.00 BP



08-13-01

Sector #

#3

EXPRESS MAIL CERTIFICATE

Date

8/10/01

Label No.

EL 903057159US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

A. DiLullo A. DiLullo

Name (Print)

Signature

Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No.: 3118/1H146US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert D. Mass

Serial No.: 09/863,101

Art Unit: 1645

Confirmation No.:

Filed: May 18, 2001

Examiner: Unknown

For: GENE DETECTION ASSAY FOR IMPROVING THE LIKELIHOOD OF AN EFFECTIVE RESPONSE TO AN ErbB ANTAGONIST CANCER THERAPY

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

COMPLETION OF PATENT APPLICATION

The following items are submitted herewith in completion of the above-identified patent application:

1. Declaration and power of attorney
2. Payment in the amount of \$ 1014, (\$ 844 filing; \$ 40 recording; \$ 130 late)
in the form of:
[X] check

☐ deposit account no. 04-0100
☐ credit card (see attached form)
(See attached **Fee Computation Sheet**)

3. ☐ Drawings, sheets (Figs.)
4. ☒ Assignment for recording to: GENENTECH, INC.
5. ☐ Applicant claims small entity status.
PARTIAL REFUND of all fees paid within last 2 months is REQUESTED.
6. A copy of Notice to File Missing Parts of Application.

Priority is claimed for this application, corresponding application/s having been filed as follows:


Country:
Number:
Date:

The priority documents ☐ are enclosed
☐ will follow.
☐ were filed in a previous application.

The Patent Office is authorized to charge any deficiency up to \$300.00 in the above fees, and to credit any excess, to our Deposit Account No. 4-0100.

Respectfully submitted,

Dated: August 8, 2001


Paul F. Fehlner, Ph.D.
Reg. No. 35,135
Attorney for Applicant(s)

DARBY & DARBY P.C.
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212-527-7700

Serial No. 09/863,101

Docket No. 3118/1H146US1

PATENT FEE COMPUTATION SHEET

	No. of Claims Presented	Extra Claims Previously Paid For	Number of Extra Claims	Rate
Basic Fee				\$710.00
Total Claims	23 - 20	- 0 = 3	x \$18.00	\$54.00
Independent Claims	4 - 3	- 0 = 1	x \$80.00	\$80.00
Multiple Dependent Claims		- if so, add	\$270.00	\$0.00
Surcharge for late submission of filing fee and/or declaration (\$130.00)				\$130.00
SUBTOTAL				\$974.00
[] Small Entity REDUCTION (Half of Subtotal)				\$0.00
Fee for recordation of assignment (\$40.00)				\$40.00
Charge for filing non-English language application (\$130.00)				\$0.00
TOTAL				\$1014.00